

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - Intersection of Pennsylvania Avenue and Bosley Avenue 9th Election District 4th Councilmanic District 201 West Pennsylvania Avenue Associates, Petitioner

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 88-156-SPHA

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve the subject site as a corner lot, as contained in the definition under Section 101 of the Baltimore County Zoning Regulations (BZCR), to the extent that the site abuts on or is at the intersection of Bosley and Pennsylvania Avenues and Bosley and Allegheny Avenues, respectively, and additionally, variances from height, setback and area requirements as set forth in the Petition filed and as more particularly described in Petitioner's Exhibit 1.

The Petitioner, through its Agent Dirk Moala of Trammel Crow Company, appeared and was represented by Counsel, William M. Hesson, Jr., Esquire. Also appearing on behalf of the Petitioner were the following: Jay Strong Smith of G. W. Stephens, Jr. & Associates; T. D. Ware and Emily Ho of HHA; Glenn Cook of the Traffic Group; Chris Goren of Graham Landscaping Architects; and Willard L. Bloom, Esquire. Jay Biddison and Mary Ginn of the West Towson Neighborhood Association appeared. All in opposition to the requested variance due to the impact the Petitioner may have on the West Towson residential area. By agreement of all parties present, most of the testimony was proffered. However, there was some direct testimony by a few of the witnesses and the opportunity to question witnesses regarding the proffered testimony. There were no objections.

Testimony indicated that the subject property is a corner lot, as defined in the BZCR, and that the Petitioner seeks relief from Sections 235 B.5, 234 and 231, pursuant to Section 307 of the BZCR.

The Petitioner seeks a determination that the subject property is a corner lot pursuant to Section 500.7 of the BZCR and seeks relief from Sections 235 B.5, 234 and 231, pursuant to Section 307 of the BZCR.

Initially, the testimony dealt with the request set forth in the Petition for Special Hearing, that is, is the property a corner lot, as defined in the BZCR. Section 101 of the BZCR defines a corner lot as follows: "lot, corner: a lot abutting on and at the intersection of two or more streets." Testimony indicated that portions of the subject property do not abut Bosley Avenue due to the fact that Baltimore County owns and maintains an adjoining grass plot, which is a maximum width of 23 feet at the corner of Bosley and Allegheny Avenues to a minimum width of 1 foot at the corner of Bosley and Pennsylvania Avenues. Mr. Hesson proffered that the County condemned adjoining property at the time of the expansion of Bosley Avenue. The remaining strip was not needed for the road. Baltimore County has maintained the strip as a grass plot. The Petitioner argued that the strip is of no economic value due to its small size. Further, it contends that declaring the subject property a corner lot would be within the spirit and intent of the regulations.

The Petitioner explained that its goal is to construct a Class A office building taking into consideration the concerns of the community. The Petitioner indicated it had met with the West Towson Neighborhood Association, the Towson Development Corporation, its immediately adjacent property owner, Mr. Tinsley, and representatives of the Baltimore County Economic Development Commission to have their input prior to the filing of the Petitions or for CRG approval. Gary Ginn of the West Towson Neighborhood Association and Les Graef of the Towson Development Corporation both indicated that the Petitioner's representatives met with them. The Petitioner argued that the plan submitted as Petitioner's Exhibit 1 reflects a plan that it feels has incorporated the community's concerns and those of the various departments of Baltimore County.

Mr. Hesson indicated that CRG approval was granted on October 8, 1987. However, since the final plan did not strictly comply with the BZCR, the Petition for Zoning Variance was necessitated. The Petitioner requested a 0-foot variance from the front and sides of the building in lieu of the required 15 feet and 10 feet, respectively. With respect to this variance request, the Petitioner pointed out that there would be 14 feet of sidewalk, and in some parts 27 feet, as a portion of the sidewalk will be under the second floor of the building. Currently, the sidewalk is 4 feet wide. Mr. Smith of George W. Stephens, Jr. and Associates, Inc., indicated that the sidewalk will be approximately the size, if not larger than, of the Courthouse sidewalk on Pennsylvania Avenue. The Petitioner indicated that a 15-foot setback would make the site too narrow on which to build. Mr. Hesson further argued the Master Plan encourages flexible lot lines in the Townsowne Center.

With respect to the side yard variance requested, testimony indicated that most of the office and garage structure would meet the side yard setback requirement. However, the northern portion of the side yard does not meet the setback requirements but adjoins the strip owned by Baltimore County, which at that point is approximately 23 feet wide. The Petitioner argued that a 10-foot setback in this area would make construction of the garage impossible and impose a great hardship on the project. The Petitioner contended that the proposed variances, if granted, would be within the spirit and intent of the BZCR.

The Petitioner proffered that the proposed building violates the height requirements in three areas. For purposes of demonstration and clarity, the Petitioner used a model. First, the corner of the garage does not strictly meet the requirements, but is within compliance. Second, there is a violation of the height requirements on the south end of the building. In this instance, the height requirement enters on the second floor of a seven floor

building. The Petitioner contended that if it was forced to strictly comply with this requirement, the project would be economically unfeasible. Third, the height requirement pierced the top of the parapet at the corner of Bosley and Pennsylvania Avenues. The Petitioner contended that to be forced to strictly comply with the BZCR would cause practical difficulty and unreasonable hardship. Further, the Petitioner indicated that the parapets are an architectural feature which provide character and uniqueness.

Additionally, the Petitioner has requested a variance regarding the amenity open space (AOS). Even though it appears the Petitioner attempted to meet the required AOS ratio using every spare inch of open space it could find, it still falls shy of the necessary AOS required under Section 235 B.4 of the BZCR. In an effort to provide additional space, the Petitioner has had discussions with Baltimore County regarding the purchase of the grass strip between its building and Bosley Avenue. While the Petitioner proffered that Baltimore County may have been interested in transferring the land, even if Baltimore County was inclined to do so, the County may not be able to transfer the property because a portion of it was purchased with Federal funds. Mr. Chris Schein, a landscape architect, testified as to the extensive landscaping plans the Petitioner has adopted for its AOS. Those plans are set forth in detail in Petitioner's Exhibit 2. The Petitioner contended that it would be a great hardship and pose practical difficulties to design a viable building in the site within the floor area ratio limits, height limits and parking requirements if strict compliance with the AOS requirements was required.

Mr. Glenn Cook of the Traffic Group testified that as a result of studies done by him, in his opinion, the projected traffic and traffic patterns resulting from the use of the building building would have no adverse effect on the safety of the community. The Petitioner's counsel proffered that a traffic

subject property is a corner lot, as defined in the BZCR, and that the Petitioner seeks relief from Sections 235 B.5, 234 and 231, pursuant to Section 307 of the BZCR.

Initially, the testimony dealt with the request set forth in the Petition for Special Hearing, that is, is the property a corner lot, as defined in the BZCR. Section 101 of the BZCR defines a corner lot as follows: "lot, corner: a lot abutting on and at the intersection of two or more streets." Testimony indicated that portions of the subject property do not abut Bosley Avenue due to the fact that Baltimore County owns and maintains an adjoining grass plot, which is a maximum width of 23 feet at the corner of Bosley and Allegheny Avenues to a minimum width of 1 foot at the corner of Bosley and Pennsylvania Avenues. Mr. Hesson proffered that the County condemned adjoining property at the time of the expansion of Bosley Avenue. The remaining strip was not needed for the road. Baltimore County has maintained the strip as a grass plot. The Petitioner argued that the strip is of no economic value due to its small size. Further, it contends that declaring the subject property a corner lot would be within the spirit and intent of the regulations.

The Petitioner explained that its goal is to construct a Class A office building taking into consideration the concerns of the community. The Petitioner indicated it had met with the West Towson Neighborhood Association, the Towson Development Corporation, its immediately adjacent property owner, Mr. Tinsley, and representatives of the Baltimore County Economic Development Commission to have their input prior to the filing of the Petitions or for CRG approval.

With respect to the side yard variance requested, testimony indicated that most of the office and garage structure would meet the side yard setback requirement. However, the northern portion of the side yard does not meet the setback requirements but adjoins the strip owned by Baltimore County, which at that point is approximately 23 feet wide. The Petitioner argued that a 10-foot setback in this area would make construction of the garage impossible and impose a great hardship on the project. The Petitioner contended that the proposed variances, if granted, would be within the spirit and intent of the BZCR.

The Petitioner proffered that the proposed building violates the height requirements in three areas. For purposes of demonstration and clarity, the Petitioner used a model. First, the corner of the garage does not strictly meet the requirements, but is within compliance. Second, there is a violation of the height requirements on the south end of the building. In this instance, the height requirement enters on the second floor of a seven floor

It is clear from the testimony that if the variance was granted, such as proposed would not be contrary to the spirit of the BZCR and would not result in substantial detriment to the public good.

After the consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the requested variances were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, there was no testimony indicating that the granting of the special hearing and variances requested would be detrimental to the public, health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested special hearing and variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 24th day of November, 1987 that the subject site be approved as a corner lot, and additionally, that variances to permit building heights of 71 feet in lieu of 30 feet along a 20-foot alley parallel to Bosley Avenue; 94 feet in lieu of 15 feet along a 10-foot alley parallel to Pennsylvania Avenue; and 123 feet in lieu of 90 feet along Pennsylvania Avenue; a front yard setback of 0 feet in lieu of the required 15 feet from the corner lot on Pennsylvania Avenue, and 30 feet in lieu of the required 40 feet from the centerline of the street; a side yard setback along a side street (Bosley Avenue) of 0 feet in lieu of the required 10 feet; and an amenity open space of 11,537 sq.ft. in lieu of the required 17,160 sq.ft., all in accordance with Petitioner's Exhibit 1, be permitted, and as such, the Petitions for Special Hearing and Zoning Variances be and are hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The Petitioner will landscape the subject property in accordance with the Baltimore County Landscape Manual and at least to the extent set forth in Petitioner's Exhibit 2.
- 3) The Petitioner shall comply with any and all conditions imposed by the Maryland Department of Transportation, State Highway Administration, Baltimore County's Department of Traffic Engineering, and Baltimore County's Department of Environmental Protection and Resource Management.

Ann M. Nastarowicz  
Deputy Zoning Commissioner  
of Baltimore County

AMN:bjs

November 24, 1987

William M. Hesson, Jr., Esquire  
Molan, Flumhoff & Williams  
204 W. Pennsylvania Avenue  
Towson, Maryland 21204

AS: Petitions for Special Hearing and Zoning Variance  
Intersection of Pennsylvania Avenue and Bosley Avenue  
9th Election District; 4th Councilmanic District  
201 West Pennsylvania Avenue Associates - Petitioner  
Case No. 88-156-SPHA

Dear Mr. Hesson:

Enclosed please find the Decision rendered in the above-referenced matter. Your Petitions for Special Hearing and Zoning Variance have been Granted, in accordance with the restrictions noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

Ann M. Nastarowicz  
Deputy Zoning Commissioner  
of Baltimore County

AMN:bjs  
Enclosures

cc: Mr. Dirk Moala  
Trammel Crow Company  
7 St. Paul Street, Suite 720, Baltimore, Md. 21218

Ms. Joy Biddison  
704 Allegheny Avenue, Towson, Md. 21204

Ms. Mary Ginn  
506 Horncrest Road, Towson, Md. 21204

People's Counsel

File



J. ROBERT HAINES  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY 88-156-SPHA  
Towson, Maryland

District: 9th Date of Posting: 10/17/87  
Posted for: Special Hearing & Variance  
Petitioner: 210 W. Pennsylvania Avenue, Ltd. Partnership  
Location of property: 835 Bosley Ave., between Ruston & Allegheny Aves.  
Location of Sign: D. Hines, 210 W. Pennsylvania Ave., 2nd Floor, Suite 210  
Remarks: See Petition for details  
Posted by: J. Robert Haines Date of return: 10/16/87  
Number of Signs: 4

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., Oct 14, 1987  
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Oct 14, 1987

TOWSON TIMES,

J. Robert Haines  
Publisher

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., Oct 15, 1987  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Oct 15, 1987

THE JEFFERSONIAN,

J. Robert Haines  
Publisher

**BALTIMORE COUNTY, MARYLAND**  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 41428  
DATE: 8/4/87 ACCOUNT: 01-615  
AMOUNT: \$ 200.00  
RECEIVED FROM: Nolan, Plummer & Williams  
FOR: FILING FEE - VARIANCE & SPECIAL HEARING - Item 51  
8 8173\*\*\*\*\*200001a 8050f  
210 W. Pennsylvania Ave., Ltd. Partnership, Petitioner  
VALIDATION OR SIGNATURE OF CASHIER

**BALTIMORE COUNTY**  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3333

J. ROBERT HAINES  
ZONING COMMISSIONER

October 28, 1987

William M. Hesson, Jr., Esquire  
204 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES  
E/S Bosley Ave. between Pennsylvania and Allegheny Avenues  
9th Election District - 4th Councilmanic District  
210 West Pennsylvania Avenue Associates Limited  
Partnership - Petitioner  
Case No. 88-156-SPHA

Dear Mr. Hesson:

This is to advise you that \$192.76 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner

JRH:med

**BALTIMORE COUNTY, MARYLAND**  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 37976  
DATE: 11/2/87 ACCOUNT: 3-01-615-000  
4 SIGNS & POSTS  
AMOUNT: \$ 102.76  
RECEIVED FROM: Wm. M. Hesson, Jr., Esq., 204 W. Pennsylvania Ave., Towson, Md. 21204  
FOR: ADVERTISING & POSTING COSTS RE CASE #88-156-SPHA  
8 8030\*\*\*\*\*12726a 8024f  
VALIDATION OR SIGNATURE OF CASHIER

CO-156-SPHA

**BALTIMORE COUNTY OFFICE OF PLANNING & ZONING**

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 16th day of September, 1987

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

Petitioner: 210 West Pennsylvania Avenue, Ltd. Partnership  
Petitioner's Attorney: William M. Hesson, Jr., Esquire  
Received by: James E. Dyer, Chairman, Zoning Plans Advisory Committee

**NOTICE OF HEARING**

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCES  
E/S Bosley Avenue between Pennsylvania and Allegheny Avenues  
9th Election District - 4th Councilmanic District  
210 West Pennsylvania Avenue Associates Limited  
Partnership - Petitioner  
Case No. 88-156-SPHA

TIME: 10:00 a.m.  
DATE: Wednesday, November 4, 1987  
PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

J. Robert Haines  
J. ROBERT HAINES  
Zoning Commissioner  
of Baltimore County

JRH:med

**BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE**

October 28, 1987

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

William M. Hesson, Jr., Esquire  
Nolan, Plummer & Williams, Chartered  
204 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No. 51 - Case No. 88-156-SPHA  
Petitioner: 210 West Pennsylvania Avenue  
Associates Limited Partnership  
Petitions for Zoning Variance and Special Hearing

Dear Mr. Hesson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: G.W. Steppens, Jr. & Associates, Inc.  
303 Allegheny Avenue  
Towson, Maryland 21204

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building, Suite 405  
Towson, Maryland 21204  
494-3334

Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

September 23, 1987

Item No. 51  
Property Owner:  
Location:  
Existing Zoning:  
Proposed Zoning:

-ZAC- Meeting of August 18, 1987  
210 West Pennsylvania Avenue  
Associated Limited Partnership  
NW/C Pennsylvania Avenue and  
Bosley Avenue  
B.M.-C  
Special hearing to approve the  
determination that the site  
is a corner lot, to the extent  
that the site abuts on or is  
at the intersection of Bosley  
and Pennsylvania Avenues, &  
Bosley & Allegheny Avenues,  
respectively variance to permit  
an exclusion from the  
height tent limitations 1. of  
80 feet in lieu of the permitted

Dear Zoning Commissioner:

The requested variances for this site are not expected to cause any major traffic problems. This site will be reviewed by the CRG and any traffic problems will be reviewed at that time.

**RECEIVED**  
SEP 30 1987

Very truly yours,

Michael S. Flanagan  
Michael S. Flanagan  
Traffic Engineer Associate II

MSF: sb

Baltimore County  
Fire Department  
Towson, Maryland 21204-2556  
494-4500

Paul H. Reincke

August 26, 1987

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Re: Property Owner: 210 West Pennsylvania Avenue Assoc., Ltd. Partnership  
Location: NW/C Pa. Avenue and Bosley Avenue  
Item No.: 51 Zoning Agenda: Meeting of 8/18/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: John F. O'Neill Noted and Approved: John F. O'Neill  
Special Inspection Division Fire Prevention Bureau

/s/



BALTIMORE COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENTAL PROTECTION  
Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 51, Zoning Advisory Committee Meeting of 8-18-87  
Property Owner: 210 W. Pennsylvania Ave. Assoc. Ltd. Partnership  
Location: 210 W. Pennsylvania Ave. at Bosley Ave. District 9  
Water Supply meter Sewage Disposal meter

COMMENTS ARE AS FOLLOWS:

- ( ) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, for final review and approval.
- ( ) Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3765, to obtain requirements for such installation/s before work begins.
- ( ) A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.
- ( ) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- ( ) If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86  
11/4

Zoning Item 51, Zoning Advisory Committee Meeting of 8-18-87  
Page 2  
( ) Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.

- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- ( ) Soil percolation tests (have been/must be) conducted.  
( ) The results are valid until  
( ) Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test  
( ) shall be valid until  
( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydro-geological Study and an Environmental Effects Report must be submitted.
- ( ) Others \_\_\_\_\_

WWQ 2 4/86

Karen M. Haines  
DIRECTOR OF ENVIRONMENTAL SERVICES  
Division of Water and Sewer  
Department of Environmental Protection  
and Resource Management

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3333

J. Robert Haines  
Zoning Commissioner

September 16, 1987



Julius W. Lichter, Esquire  
Levin, Gann and Hankin  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition for Special Hearing and Variances  
by 210 W. Pennsylvania Associates Ltd. Partnership  
Item 51

Dear Mr. Lichter:

I am in receipt of your letter dated September 11, 1987 regarding the above captioned matter. Please be advised that your letter has been turned over to Ms. Betty duBois of this office and, she will keep you informed regarding the hearing date.

Very truly yours,

J. Robert Haines  
J. Robert Haines  
Zoning Commissioner

JRH:mm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines  
TO: Zoning Commissioner

Date: October 27, 1987

Norman E. Gerber, AICP  
FROM: Director of Planning and Zoning

SUBJECT: Zoning Petition No. 88-156-SPHA

This plan was approved by the CRC on October 8, 1987.

Norman E. Gerber, AICP  
Norman E. Gerber, AICP  
Director

NEG:JGH:dmc

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel  
File

RECEIVED  
OCT 30 1987  
ZONING OFFICE

CPS-008

210 W. Pennsylvania Avenue  
Limited Partnership  
c/o Lex Land  
204 West Pennsylvania Avenue  
Towson, Maryland 21204

September 28, 1987

The Honorable Robert Haines  
Zoning Commissioner, Baltimore County  
Baltimore County Office Building  
Chesapeake Avenue  
Towson, Maryland 21204

Re: Petition for Zoning Variance and  
Special hearing; Case No. 88-157-SPHA  
210 West Pennsylvania Avenue  
Limited Partnership

Dear Commissioner Haines:

We, the below named property owners/contract purchaser consent to the filing of the captioned zoning petitions for our property.

James Kerr, Owner  
210 West Pennsylvania Ave.

Trammell Crow, by Dirk Mosis  
Contract Purchaser  
202, 204 and 206 West  
Pennsylvania Avenue

John Sibers/Millard Bloom, Owners  
208 West Pennsylvania Ave.

William M. Hesson, Jr., partner  
Lex Land, Owner  
205/207 West Allegheny Ave.

LAW OFFICES  
NOLAN, PLUMHOFF & WILLIAMS  
CHARTERED  
204 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204  
(301) 823-7800

OF COUNSEL  
RALPH E. DEFE  
9026 LIBERTY ROAD  
RANDALLSTOWN, MARYLAND 21133  
(301) 822-2181  
RUSSELL J. WHITE

August 5, 1987

RECEIVED  
AUG 5 1987  
ZONING OFFICE

J. Robert Haines  
Zoning Commissioner  
Baltimore County Office Building  
Towson, Maryland 21204

RE: Petitioner: 210 West Pennsylvania Avenue  
Associates Limited Partnership  
Item 51, Variance and Special Hearing

Dear Commissioner Haines:

This is a request for a hearing on the Petition for Zoning Variance and Special Hearing for the above-named Petitioner. We ask that you please schedule this matter for hearing as soon as possible.

Thank you for your assistance in this matter.

Very truly yours,  
William M. Hesson, Jr.

WMH,Jr/jmg

LAW OFFICES  
NOLAN, PLUMHOFF & WILLIAMS  
CHARTERED  
204 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204  
TELEPHONE  
(301) 823-7800

LAW OFFICES  
LEVIN, GANN & HANKIN  
A PROFESSIONAL ASSOCIATION  
305 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
301-221-0600  
TELECOPIER FAX 301-625-9050

September 11, 1987

J. Robert Haines, Esquire  
Zoning Commissioner of Baltimore County  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition For Special Hearing and Variances by 210 W. Pennsylvania Associates Limited Partnership  
Item 51

Dear Mr. Haines:

Please be advised that this office represents Thomas Garland Tinsley in all matters relating to the proposed Trammell Crow 8 story office building and adjacent parking garage. As you may be aware, Mr. Tinsley owns the adjacent properties to the proposed project along Baltimore Avenue.

It is my understanding that as of this date, a hearing date has yet to be established for the above-noted petition.

By this letter, I would kindly request that you consult with me prior to scheduling of a hearing. We will need to coordinate with our expert witnesses and consultants as to their availability for said hearing date.

Thanking you in advance for all of your courtesies, I will await notification of a hearing date.

Sincerely,

Julius W. Lichter

JWL:cc

cc: Thomas G. Tinsley

RECEIVED  
OCT 15 1987  
ZONING OFFICE

HELLMAN, REDMOND & DANIELS  
ATTORNEYS-AT-LAW  
405 ALLEGHENY AVENUE  
TOWSON, MARYLAND 21204

RECEIVED  
OCT 19 1987  
ZONING OFFICE  
TELEPHONE  
(301) 825-1000

STANLEY H. HELLMAN  
PAUL J. REDMOND  
LAWRENCE R. DANIELS  
\* ALSO ADMITTED TO PRACTICE IN:  
DISTRICT OF COLUMBIA  
CONNECTICUT  
HAWAII

October 16, 1987

J. Robert Haines  
Baltimore County Zoning Commissioner  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Petition For Variance For Building At The  
North-East Corner Of Bosley And Pennsylvania  
Avenues, Towson

Gentlemen:

As owners of property at 405 Allegheny Avenue, approximately 1-1/2 blocks from the building proposed to be constructed by Trammell-Crow Company at the north-east corner of Bosley Avenue and Pennsylvania Avenue, we would like to go on record as supporting the variance. We believe the construction of a first-class office structure immediately adjacent to the Baltimore County Courthouse will increase the stature of the Towson area. The Towson Courthouse, being the hub of a county of approximately 650,000 population deserves an office center around it's courthouse of the highest quality. Therefore, we urge the approval of the necessary zoning requirements to commit the construction of this building.

Very Truly Yours,

Stanley H. Hellman

Paul J. Redmond

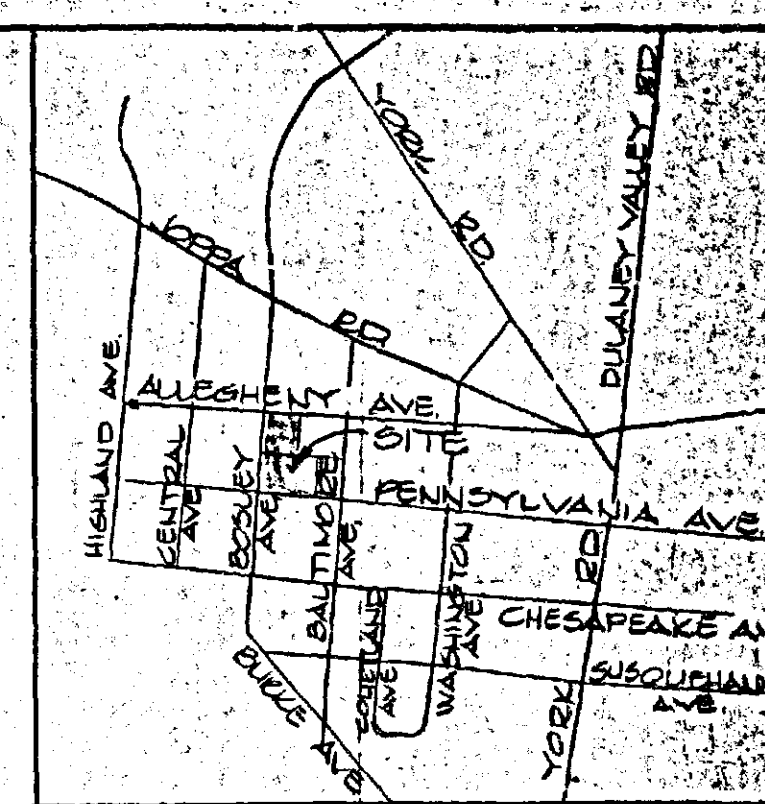
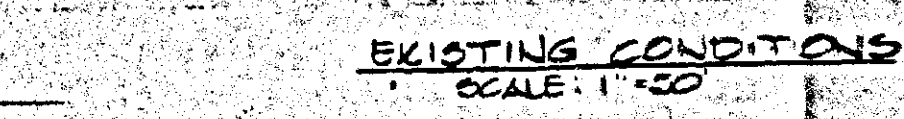
Lawrence R. Daniels

HRD:ibc  
cc: J. Earle Plumhoff, Esq.









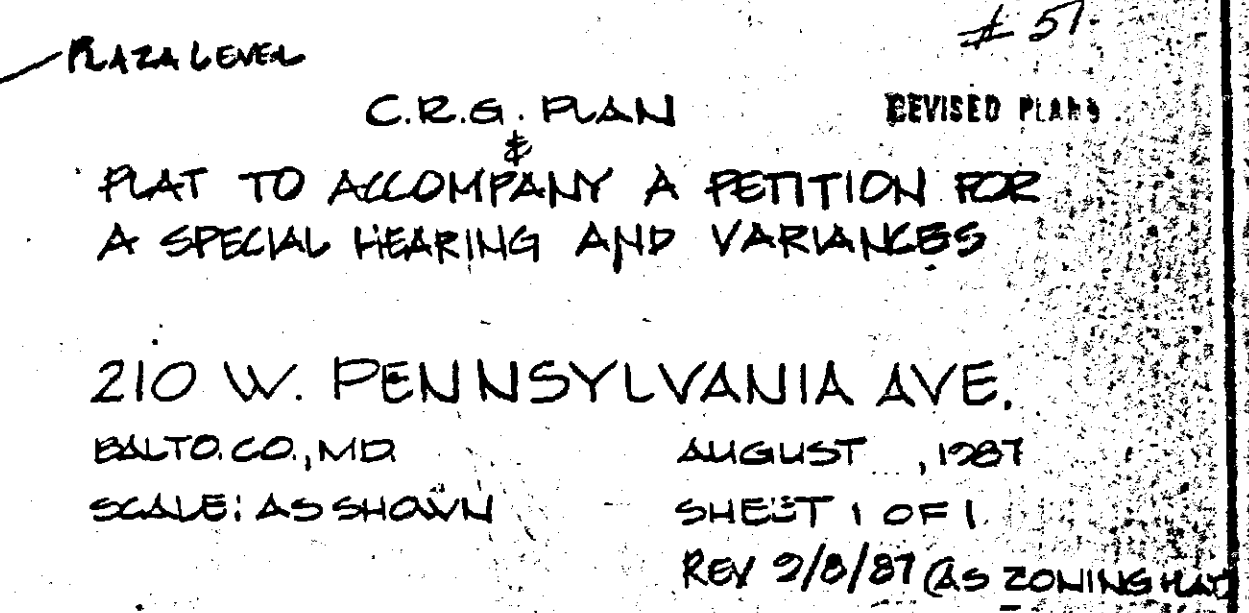
SOIL TYPES & LIMITATIONS			
SOIL TYPE	BLDG. W/ BEMT.	BLDG. W/O BEMT.	PARKING
G10	SLIGHT	SLIGHT	MODERATE SLOPE

\* ZONING PETITION REQUESTS

A. SPECIAL HEARINGS TO CLARIFY CORNER LOT STATUS IN RELATIONSHIP TO BOSLEY AVE.

B. VARIANCES

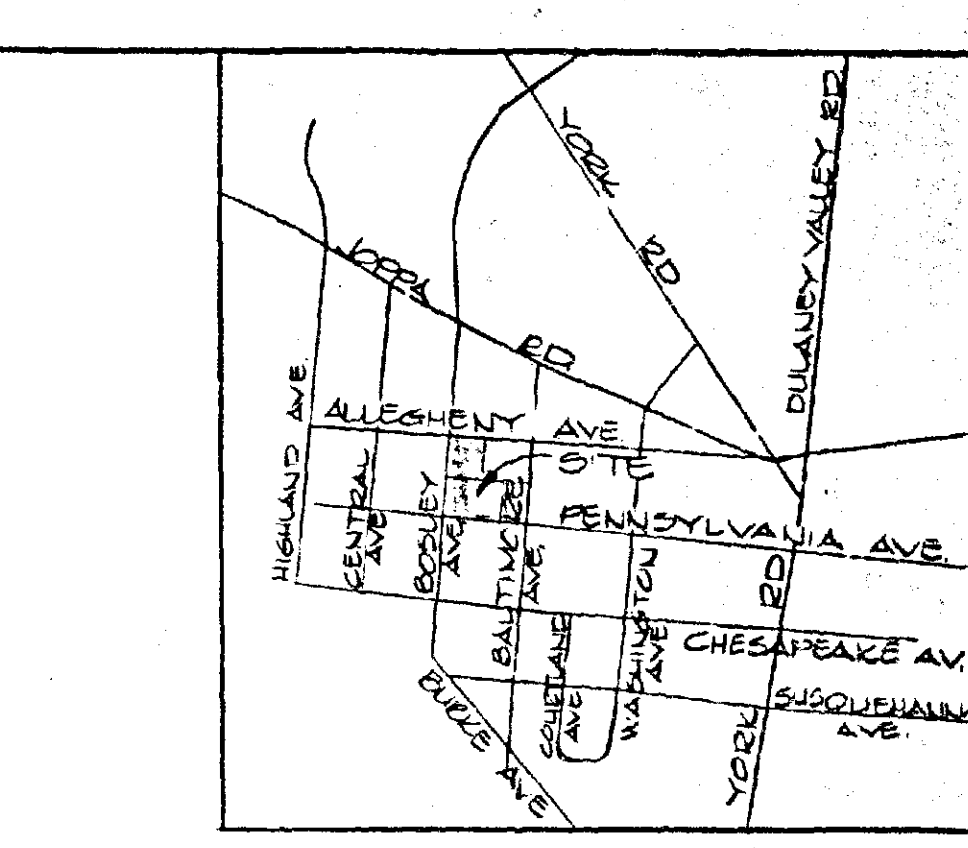
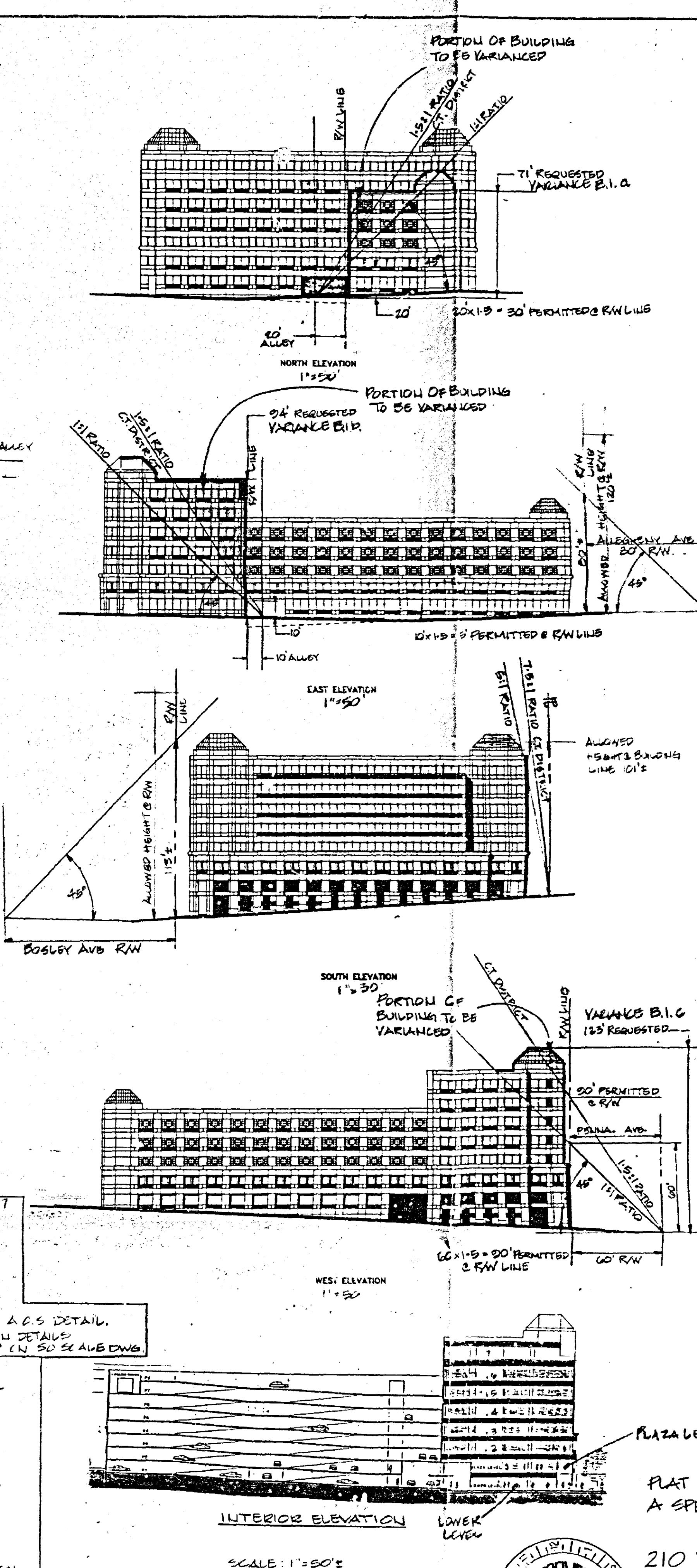
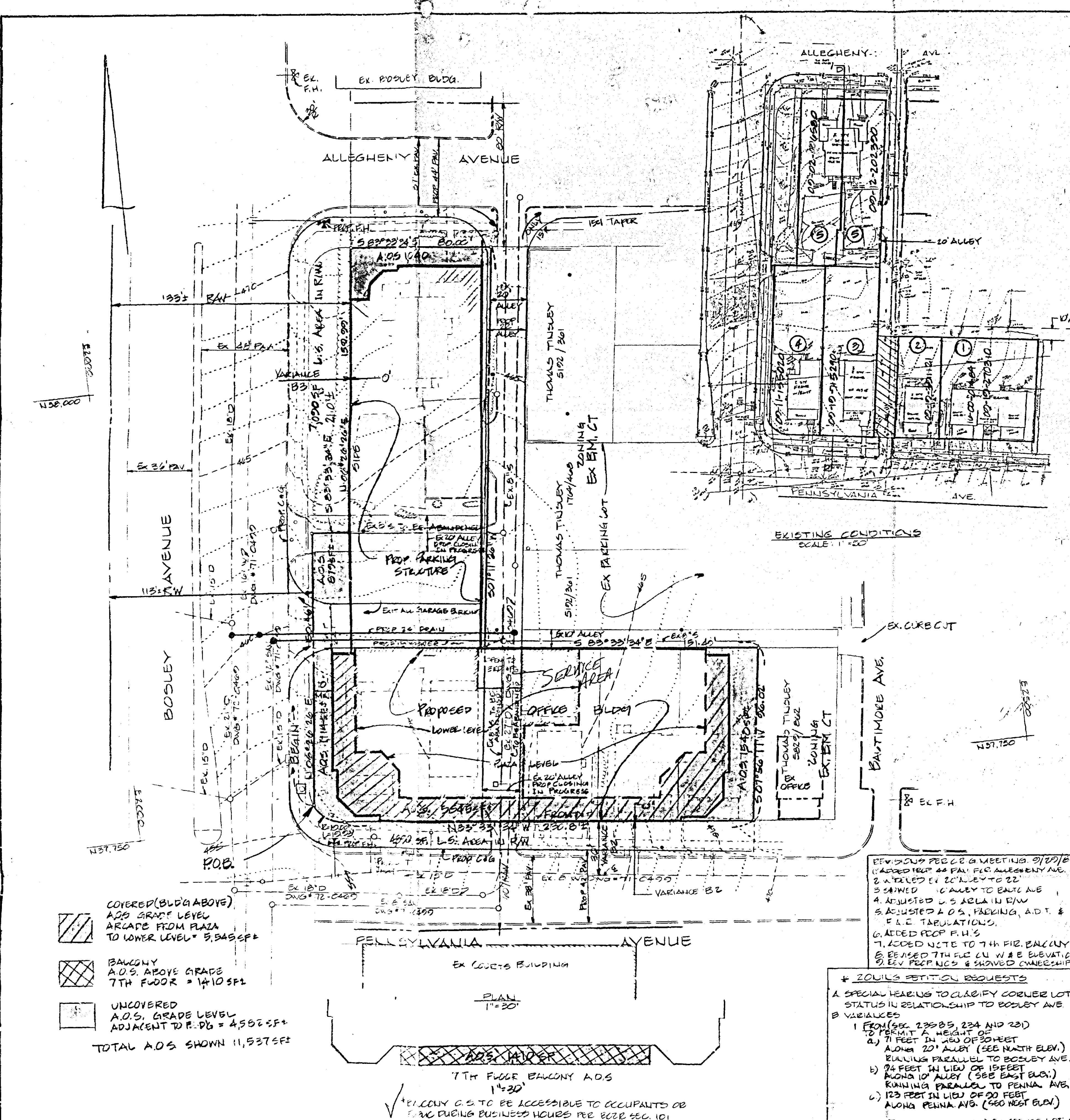
1. FRONT YARD (SEC. 235 B.S. 234 AND 231)
  - a.) 71 FEET IN LIEU OF 30 FEET ALONG 20' ALLEY (SEE NORTH ELEV.) RANING PARALLEL TO BOSLEY AVE.
  - b.) 24 FEET IN LIEU OF 15 FEET ALONG 15' SIDE (SEE EAST ELEV.) RANING PARALLEL TO PENNA. AVE.
  - c.) 123 FEET IN LIEU OF 20 FEET ALONG PENNA. AVE. (SEE WEST ELEV.)
2. FRONT YARD (SEC. 235, 1) OF CORNER LOT ON PENNA. AVE. TO PERMIT 0' IN LIEU OF 10' AND A DISTANCE FROM CENT. LINE OF 13' IN LIEU OF 40'.
3. SIDE YARD (SEC. 235, 2, 1232, 2b) OF CORNER LOT ON BOSLEY AVE. TO PERMIT 0' IN LIEU OF 10'
4. AMENITY OPEN SPACE (SEC. 235 B.4) TO PERMIT 11,500 SF. IN LIEU OF THE REQUIRED 16,000 SF.



PETITIONER  
1210 W. PENNSYLVANIA AVE.  
ASSOC. LIMITED PARTNERSHIP  
C/O NOLAN, PLUMHOFF & WILLIAMS  
204 W. PENNSYLVANIA AVE.  
TOWSON MARYLAND 21204  
301-823-1800

PUBLIC SERVICES C.R.G. NO. 8722B  
PLANNING NO. LX-507





- ELECTION DISTRICT - 2
- COUNCILMANIC DISTRICT - 4
- CENSUS TRACT - 4007.02
- WATERSHED - 23
- SUBSEWERED - 55
- DEED REFERENCES - 4410-542, 5236-428, 5197-425, 2334-543, 1428-434, 1376-326, 5862-0376 & 4823-0507
- PROPERTY TAX NO. 07-09-10000, 10-09-14841, 07-02-00500, 07-11-155020, 07-17-115220, 07-12-202590, 07-10-301121, 07-12-270210
- GEOLOGICAL INFORMATION (SEE ENVIRONMENTAL EFFECTS REPORT)
- NO ARCHEOLOGICAL SITES, ENDANGERED SPECIES, HAZARDOUS MATERIALS, WETLANDS OR CRITICAL AREAS EXIST WITHIN THIS SITE.
- NO HISTORICAL BUILDINGS
- SOILS INFORMATION

SOIL TYPES & LIMITATIONS			
SOIL TYPE	BLDG W/ BENT	BLDG W/O BENT	PARKING
G1B	SLIGHT	SLIGHT	MODERATE SLOPE

- LANDSCAPING: 1085 SF PLANTING ALONG STREETS & ALLEYS (1085+40=211,537.00 SF)
- SITE DATA
  - EX ZONING - BM-CT (SEE R. 20-322)
  - AREA - NET 208 AC ±, GROSS 1.41 AC ±
  - AMENITY OPEN SPACE REQ'D: OFF BLDG 142,000 SF (A.G.F.A.) X 0.1 = 14,200 SF ±; PARK 148,000 SF (P.A.) X 0.32 = 47,360 SF ±; TOTAL = 61,560 SF ±
  - AMENITY OPEN SPACE SHOWN = 11,537.00 SF ±
  - A.D.S. SHORTAGE = 5,623 SF ±
  - LANDSCAPE AREA AVAILABLE IN PLN = 11,080 SF ±
  - LOS + E/W L.S. AREA IN PLN = 22,517 SF ±
  - PARKING REQ'D: 14,595 SF ± (PLAZA LEVEL) ± 200 = 4845; 120,922 SF ± (OTHER FLOOR) ± 200 = 1418; 6,483 SF ± (LOWER LEVEL) ± 200 = 1250; TOTAL PARKING REQ'D = 17,283 SF ±
  - 14. TOTAL A.D.T. OFF BLDG 142,000 X 0.3 = 42,600; RESTAURANT 6,483 X 0.3 = 1,945; TOTAL = 44,545
  - 15. FLOOR AREA RATIO PERMITTED - 5.5 X 41 AC ± = 227,805 SF; SHOWN - 269,000 SF ± (61,410 G) = 4.31 RATIO
  - 16. ALL EX. BUILDINGS TO BE RAZED AND CIRCLES FOR ASBESTOS PRIOR THERE TO.
  - 17. STORM WATER MANAGEMENT WAIVER WAS GRANTED UNDER SEC. 2-150.3 C2 ON 11/23/1987

- Building Materials**
- Tinted/Reflective Insulating Vision Glass
  - Architectural Precast Concrete
  - Copper Standing Seam Roofing
  - Extruded Aluminum Stormproof Architectural Louvers
  - Architectural Precast Concrete
  - Exterior Column with Precast Cladding
  - Painted Galvanized Hollow Metal Door and Frame

**C.R.G. PLAN**  
 PLAT TO ACCOMPANY A PETITION FOR A SPECIAL HEARING AND VARIANCES

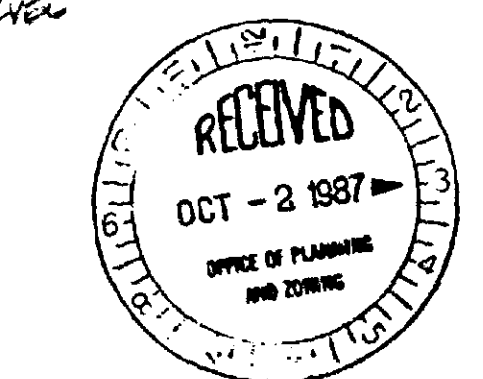
210 W. PENNSYLVANIA AVE.  
 BALTO. CO., MD.  
 SCALE: AS SHOWN  
 AUGUST, 1987  
 SHEET 1 OF 1  
 REV 9/8/87 (AS ZONING PLAT)  
 REV 9/29/87 (AS ZONING PLAT)

**GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 303 ALLEGHENY AVENUE  
 TOWSON, MARYLAND 21204  
 (301-825-8120)

**PETITIONER**  
 210 W. PENNSYLVANIA AVE.  
 ASSOC. LIMITED PARTNERSHIP  
 C/O HOWARD PUGH & HOFF & WILLIAMS  
 204 W. PENNSYLVANIA AVE.  
 TOWSON, MARYLAND 21204  
 301-823-7600

- REVISIONS PER C.R.G. MEETING 9/20/87**
1. ADDED TRIP AS F.A. FOR ALLEGHENY AVE.
  2. WIDENED EX. 20' ALLEY TO 22'
  3. SHAVED 1' CANEY TO EAST AVE
  4. ADJUSTED L.S. AREA IN PLN
  5. ADJUSTED A.D.S. PARKING, A.D.T. & F.A.C. TABULATIONS
  6. ADDED PROP. F.H.S.
  7. ADDED NOTE TO 7TH FLOOR BALCONY A.D.S. DETAIL.
  8. REVISED 7TH FLOOR C.U. W & E ELEVATION DETAILS
  9. REV. PROP. N.C.S. & SHAVED OWNERSHIP IN 50' SCALE DNG.
- \* ZONING PETITION REQUESTS**
- A SPECIAL HEARING TO CLARIFY CORNER LOT STATUS IN RELATIONSHIP TO BOSLEY AVE.
  - B VARIANCES
    1. FRONT (SEC. 235 B.5, 234 AND 231) TO PERMIT A HEIGHT OF 71 FEET IN LIEU OF 30 FEET ALONG 20' ALLEY (SEE NORTH ELEV.) BUILDING PARALLEL TO BOSLEY AVE.
    2. 74 FEET IN LIEU OF 15 FEET ALONG 10' ALLEY (SEE EAST ELEV.) BUILDING PARALLEL TO PENNA. AVE.
    3. 123 FEET IN LIEU OF 90 FEET ALONG PENNA. AVE. (SEE WEST ELEV.)
  2. FRONT YARD (SEC. 235.1) OF CORNER LOT ON ON PENNA. AVE TO PERMIT 0' IN LIEU OF 15' AND A DISTANCE FROM CENTERLINE OF 30' IN LIEU OF 40'.
  3. SIDE YARD (SEC. 235.2) OF CORNER LOT ON BOSLEY AVE. TO PERMIT 0' IN LIEU OF 10'.
  4. AMENITY OPEN SPACE (SEC. 235 B.4) TO PERMIT 11,500 SF IN LIEU OF THE REQUIRED 17,160 SF.

**INTERIOR ELEVATION**  
 SCALE: 1"=50'  
**CURRENT OWNERS**  
 1. DOE, INC.  
 2. MELVIN KODENSKY ET AL.  
 3. JOHN E. SIERRA ET AL.  
 4. AGNES J. KERR  
 5. LEXLAND  
 \* FOR OWNERSHIP SEE ABOVE 50' SCALE DNG.









8th FLOOR

BALCONY A.S.

TYP. FLOOR

2nd FLOOR

PLAZA LEVEL


COVERED GROUND LEVEL A.S.

LOWER LEVEL

COVERED GROUND LEVEL A.S.

SCALE: 1" = 30'

**GWS**  
**GEORGE WILLIAM STEPHENS, JR.**  
**AND ASSOCIATES, INC.**  
 CIVIL ENGINEERS & LAND SURVEYORS  
 303 ALLEGHENY AVENUE  
 TOWSON, MARYLAND 21204  
 (301-825-8120)



PLAT TO ACCOMPANY A PETITION  
 FOR A SPECIAL HEARING AND VARIANCES  
 210 W PENNSYLVANIA AVE.  
 BALTO. CO., MD. AUGUST, 1987  
 SCALE: AS SHOWN SHEET 2 OF 2